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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,398	12/26/2001	Harry G. Skinner	42390P13152	1207

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EXAMINER

ODOM, CURTIS B

ART UNIT	PAPER NUMBER
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2634

DATE MAILED: 09/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/034,398

Applicant(s)

SKINNER, HARRY G.

Examiner

Curtis B. Odom

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 7-12, 18, 19, 22, 23 and 26 is/are rejected.
- 7) ☒ Claim(s) 2-6, 13-17, 20, 21, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Objections***

### ***Claim Objections***

1. Claim 6 objected to because of the following informalities: The phrase “system of claim 1” is suggested to be changed to “system of claim 2”. Appropriate correction is required.
2. Claim 17 is objected to because of the following informalities: The phrase “system of claim 12” is suggested to be changed to “system of claim 13”. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 7-11, 19, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Ransijn (U.S. Patent No. 6, 437, 128).

Regarding claim 1, Ransijn discloses a system comprising:

clock recovery circuitry (Fig. 1, blocks 12, 14, 16, column 1, lines 5-35) to receive a data signal and reference clock signal (VCO clock signal) in response thereto to produce an in phase clock signal (recovered clock) which is in phase with the data signal and mirrors frequency changes in the data signal, wherein the data signal has embedded clock information and a varying frequency; and

a receiving gate (Fig. 1, block 18) to receive the data signal and the in phase clock signal and to gate the data signal in response to the in phase clock signal.

Regarding claim 7, which inherits the limitations of claim 1, comprising a local reference source (Fig. 1, block 16) to produce the reference clock signal, wherein the clock signal has a constant frequency (column 1, lines 19-21), wherein the VCO clock signal has a constant frequency.

Regarding claim 8, which inherits the limitations of claim 1, Ransijn discloses

a receiving chip (Fig. 1) coupled to the transmitting chip the interconnect, the receiving chip including the clock recovery circuitry and the receiving gate. Ransijn does not disclose a transmitting chip including a transmitter to produce the data signal to an interconnect in response to a SSC transmitting clock. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that input data signal could have been produced by transmitter with a SSC transmitting clock. Thus, including a transmitter in a communication system does not constitute patentability.

Regarding claim 9, which inherits the limitations of claim 8, Ransijn discloses a local reference source (Fig. 1, block 16) to produce the reference clock signal, wherein the clock

signal has a constant frequency (column 1, lines 19-21), wherein the VCO clock signal has a constant frequency, but does not disclose the local reference source is external to the circuit. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the reference source could have been external to the circuit. An oscillator external to the circuit could have been used to produce a reference signal. Oscillators are well known in the art and thus having the reference source external to the circuit does not constitute patentability.

Regarding claim 10, which inherits the limitations of claim 8, Rasijn does not disclose the circuit is included in a computer system. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the circuit in a computer system in order to synchronize transmission and reception circuits in the computer.

Regarding claim 11, which inherits the limitations of claim 8, Rasijn discloses the circuit is included in a communication system (column 1, lines 5-14).

Regarding claims 19 and 22, the claimed device includes features corresponding with the subject matter mentioned in the above rejection of claims 1 and 8 which is applicable hereto.

5. Claims 12, 18, 23, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwamatsu (U.S. Patent No. 5, 867, 542).

Regarding claim 12, Iwamatsu discloses a system comprising:

a receiving gate (Fig. 2, block 11, column 11, lines 50-column 12, line 25) to receive the data signal and the in phase clock signal and to gate the data signal in response to the in phase clock signal, wherein the data signal has embedded clock information and a varying frequency; and

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clock recovery circuitry (Fig. 2, block 2A, column 11, line 50-column 12, line 25) to receive a data signal and reference clock signal (clock regenerating unit) in response thereto to produce an in phase clock signal which is in phase with the data signal and mirrors frequency changes in the data signal.

Regarding claim 18, which inherits the limitations of claim 12, Iwamatsu et al. discloses a receiving chip (Fig. 2) coupled to the transmitting chip the interconnect, the receiving chip including the clock recovery circuitry and the receiving gate. Iwamatsu et al. does not disclose a transmitting chip including a transmitter to produce the data signal to an interconnect in response to a SSC transmitting clock. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that input data signal could have been produced by transmitter with a SSC transmitting clock. Thus, including a transmitter in a communication system does not constitute patentability.

Regarding claims 23 and 26, the claimed device includes features corresponding with the subject matter mentioned in the above rejection of claims 12 and 18 which is applicable hereto.

#### ***Allowable Subject Matter***

6. Claims 2-6, 13-17, 20, 21, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if above objections are overcome and rewritten in independent form including all of the limitations of the base claim and any intervening claims.


***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 703-305-4097. The examiner can normally be reached on Monday- Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone numbers for the organization where this application or proceeding is assigned are 709-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Curtis Odom  
September 12, 2003

  
**STEPHEN CHIN**  
**SUPERVISORY PATENT EXAMINEE**  
**TECHNOLOGY CENTER 2800**